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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,990	10/30/2003	Jason A. Demers	1062/D85	7851
73544	7590	09/14/2009	EXAMINER	
Michelle Saquet Temple			WEINSTEIN, LEONARD J	
DEKA Research & Development Corporation			ART UNIT	PAPER NUMBER
340 Commercial Street			3746	
Manchester, NH 03101-1129			MAIL DATE	DELIVERY MODE
			09/14/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/696,990	DEMERS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	LEONARD J. WEINSTEIN	3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- This communication is responsive to 05/12/2009.
- The allowed claim(s) is/are 1-7, 9-14, 16, 17, 19-24, 26 and 27.

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- Notice of Informal Patent Application
- Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- Examiner's Amendment/Comment
- Examiner's Statement of Reasons for Allowance
- Other \_\_\_\_\_.

/Leonard J Weinstein/  
Examiner, Art Unit 3746

/Devon C Kramer/  
Supervisory Patent Examiner, Art Unit 3746

**DETAILED ACTION**

1. This action is provided as a supplement to the notice of allowance of July 30, 2009. This action is being provided in view of the amendments to claims 19 and 21 that are required for those claims to be properly dependent on a non-canceled claim
2. The examiner acknowledges the amendments to claims 1, 2, 3, 9, 10, 16, 17, 23, 26, and 27. Claims 8, 15, 18, and 25 have been canceled.

**EXAMINER'S AMENDMENT**

3. Claims 19, 21, and 22 as presented in the amendment of May 12, 2009, are hereby amended to depend from claim 16. Claim 20 depends from claim 19 which now properly depends on independent claim 16. The examiner notes that when the claims are re-numbered, claims 16 and 19-22 as they appear in amendment of May 12, 2009, will be renumbered as claims 14 and 16-19 respectively. Therefore as renumbered claims 16, 18, and 19 will depend from independent claim 14. Authorization for this examiner's amendment was given in a telephone interview with Marc Gorayeb on September 2, 2009.

4. The following contains the examiner's amendment that was included in the notice of allowance of July 30, 2009. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
5. The application has been amended as follows: the limitations in lines 3-4 of claim 1 reciting:

- "each membrane pump cassette for coupling with one of the plurality of pumps, each membrane cassette comprising"

are redundant and the second of recitation of membrane cassette omits the word pump.

Therefore the limitations will be amended to recite:

- --- each membrane pump cassette for coupling with one of the plurality of pumps, ~~each membrane cassette comprising~~ ---

6. Claim 1 also recites the limitation of "pump cassette" twice in line 13 of the claim (section (c) - second line). As best understood by the examiner the limitation of "pump cassette" refers to "membrane pump cassette" introduced in section (a) of the claim 1.

Therefore the limitations in line 13 of claim 1 reciting:

- "pump cassette"

will be amended to recite:

- --- membrane pump cassette ---

#### ***Allowable Subject Matter***

7. Claims 1-7, 9-14, 16, 17, 19-24, 26, and 27 are allowed.
8. The following is an examiner's statement of reasons for allowance: the prior art fails to teach or suggest the limitations for a fluid processing workstation, a membrane pump cassette bank, or a kit including a plurality of pumps, each pump configured to operate a membrane pump cassette, each membrane pump cassette comprising a first pump chamber (or working solution pump chamber), and a first fluid inlet port (or working solution inlet port) in selective fluid communication with the first pump chamber when its respective pump applies negative pressure to the first pump chamber

membrane, in combination with an inlet tube, distribution tubing that connects an inlet tube to the first inlet port of each of the pump cassettes such that the first pump chambers of the pump cassettes can be coupled to pump fluid from a common fluid source via the inlet tube and distribution tubing, and a multi-port coupling in the distribution tubing such that the distribution tubing extends away from a first and second port of the coupling, the inlet tube is connected to a third port of the coupling, and the first fluid inlet port of a middle one of the pump cassettes is coupled to a fourth port of the coupling.

The closest prior art of Uber; III US 6,149,627 teaches a multi-patient fluid/drug delivery system which includes a mixing chamber 20 that supplies different patients with fluid through individual pumps. Uber teaches individual pumps which are linked to the mixing chamber through distribution tubing (see fig. 1) connected to each pump 35, an inlet tube 26 connected to the mixing chamber, and a multi-port switch valve which selectively puts the inlet tube 26 in communication with a branch of the distribution tubing associated with a given pump 35. Uber; III does not teach a multi-port coupling which puts the inlet tube in communication each branch of distribution tubing at once and does not teach a pump that operates a membrane pump cassette.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD J. WEINSTEIN whose telephone number is (571)272-9961. The examiner can normally be reached on Monday - Thursday 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/  
Supervisory Patent Examiner, Art  
Unit 3746

/Leonard J Weinstein/  
Examiner, Art Unit 3746